

DRAFT MINUTES

TRAINING for the HISTORIC RESOURCES BOARD

September 14, 2016 10:00 a.m.

Holiday Inn, Downtown Lynchburg, 601 Main Street, Lynchburg, VA 24504

Historic Resources Board Members Present

Clyde Paul Smith, Vice-Chair

Dr. Colita Nichols Fairfax

Frederick S. Fisher

Nosuk Pak Kim

Historic Resources Board Members Absent

Drew Gruber

Margaret T. Peters

Ashley Atkins Spivey

Department of Historic Resources Staff Present

Julie Langan, Director

Joanna Wilson Green

Jennifer Loux

Lena Sweeten McDonald

Wendy Musumeci

Agency Overview

Director Langan began the meeting at 10:00 a.m., welcomed the new members of the Historic Resources Board (the “BHR” or “Board”), and explained the purpose of the meeting. Director Langan presented an overview of the Virginia Department of Historic Resources (“DHR”), including a description of the various programs administered by the agency. Director Langan explained that the Register, Highway Marker, and Easement Programs fell within the Board’s purview, but other program areas such as the Office of Review and Compliance/Section 106 Review and the Rehabilitation Tax Credit program did not. Director Langan briefed the Board on the agency budget and initiatives, and also reviewed the process for delisting a property from the Virginia Landmarks Register (“VLR”) and National Register of Historic Places (“NRHP”). Director Langan noted that the Board would be presented with properties to be delisted at the meeting tomorrow. Mr. Fisher asked if the number of properties to be delisted had increased due to demolitions. Ms. McDonald responded that the nine properties proposed for delisting on the agenda for the Joint Board meeting tomorrow were a group of properties from 2008 that had lost integrity for a variety of reasons.

Register Program Training

Ms. McDonald presented a PowerPoint presentation with an overview of DHR’s National/State Register program that included a discussion of the purpose of the Virginia Landmarks Register and the National Register of Historic Places, and what specific impacts Register listing has and does not have for property owners. Ms. McDonald explained DHR’s role in managing each program, and discussed the responsibility of the Board of Historic Resources for officially listing properties in the VLR and of the State Review Board for recommending properties be listed in the NRHP.

She next presented a case study for the Mechanicsville Historic District in Danville as an illustration of how a historic district is first identified and evaluated for Register eligibility, and how evolving professional and scholarly standards are used to reevaluate properties years later. The Mechanicsville Historic District

originally was identified in 1993 but did not proceed to a formal nomination until 2014. Due to the intervening 21 years, the historic district's period and areas of significance warranted reevaluation. This created an opportunity to understand more about the historic district's importance as a nexus for the Civil Rights movement in Danville, including having the High Street Baptist Church within its boundaries; civil rights organization meetings took place here, and the Reverend Dr. Martin Luther King Jr. spoke at an event here in 1963 following a clash between demonstrators and protestors. Thus, the historic district is representative of the historic events and associations that are becoming increasingly commonly considered as the traditional fifty-year cutoff for considering Register eligibility now encompasses events through 1966.

Ms. McDonald concluded with an overview of the DHR's Register program initiatives that focus on Virginia's post-WWII era, including the New Dominion Virginia project (civil rights, African American heritage, Modern architecture), LGBTQ heritage in Virginia, and a special project with three Virginia Indian tribes focusing on their history from the Contact Period through the mid-20th century. She also provided weblinks to additional information about the Register program on DHR's website and the main website for the National Register program.

Easement Program Training

Ms. Musumeci began by introducing herself and providing Mr. Fisher, Dr. Fairfax, and Ms. Kim with an Easement Program Manual and explained the contents of the manual. Ms. Musumeci provided a brief overview of the agenda for the training and explained the role of each Easement Program staff member. Ms. Musumeci then presented a PowerPoint presentation and began by discussing the legal framework for the Easement Program, including under what authority the Board holds easements in Virginia. Ms. Musumeci reviewed the relevant sections of the Virginia Code that provided the statutory authority for the Board (Chapter 22-Historic Resources and Chapter 17-Open-Space Land Act) and specifically focused on Section 1704 of the Open-Space Land Act as it related to conversion or diversion of property perpetually conserved for open space use. Mr. Fisher provided background information on how Section 1704 came about as it pertained to construction of a VDOT by-pass near the Old Mansion property in Caroline County. Ms. Musumeci noted that the Board might be presented with utility or other infrastructure projects for a determination of whether Section 1704 was triggered and noted that the provision contained a fairly high threshold. Ms. Musumeci then explained the various state and federal grant programs that drove many of the easement projects and reviewed the program policies adopted by the Board for administration of the program. Ms. Wilson Green then spoke to the Board about the new easement development process. She explained the role of the Board as it pertained to the easement program and the criteria under which easements were accepted by the Board. Ms. Wilson Green then discussed in detail the Civil War Sites Advisory Commission and 1993 *Report on the Nation's Civil War Battlefields* and how the information from the report was used by staff and the Board to evaluate easement offers on Civil War Battlefields. She reviewed the priority rating system published in the report, the definition of core and study areas, and how to assess integrity. Ms. Wilson Green showed the Board examples of battlefield properties where the integrity of a historic battlefield landscape had been compromised by modern intrusions, and where the landscape had been restored in consultation with DHR. Vice-Chair Smith asked if the Board would approve an easement which permitted a gas station to remain on a corner of the property for fifty years before it had to be removed, and suggested Gettysburg as an example. Mr. Fisher added that, since the easement was perpetual, permitting the non-historic resource to remain for fifty years might still allow the property to be preserved. Ms. Musumeci responded that the presence of non-historic resources on the property often impacted its integrity as a battlefield and the evaluation of integrity would be specific to the conditions on a particular property. Ms. Musumeci added that the standard time-frame for demolition and removal of non-historic resources set by the Board was generally three to five years and for properties that involved a federal or state tax component the property had to have integrity at the time of easement recordation, not some future point.

Ms. Musumeci then discussed the easement application and drafting process, noting that a new application form for battlefield properties had recently been released. She outlined the documentation applicants must submit and explained the role of the Easement Acceptance Committee and how it formulated a recommendation to the Board. Ms. Musumeci observed that due to the complexity of the easement projects, many offers were often presented to the Board with specific conditions for approval.

Ms. Wilson Green then reviewed the monitoring and stewardship process as conducted by Easement Program Staff, explained the typical components of a monitoring report, and briefed the Board on the types of easement violations and potential resolutions. She provided the Board with a detailed overview of the project review and approval process as required per the standard easement provisions and described how DHR's process differed from other conservation easement holders.

Historic Highway Markers

J. Loux, Highway Marker Historian, introduced herself to the new board members. She then presented a PowerPoint presentation about the history and legal authority of the Highway Marker Program, funding sources, the marker approval, citing, and dedication process, and composition of the Marker Editorial Committee. J. Loux also briefed the Board on the highway marker replacement policy and funds recently provided by VDOT to replace forty-six markers. J. Loux then summarized DHR's marker retirement and conditional donation policies.

The Board of Historic Resources training session ended at 1:50 p.m.